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NOTE: CHANGES MADE BY THE COURT

6 Attorneys for Plaintiff
MICROSOFT CORPORATION
7

8 UNITED STATES DISTRICT COURT
9 CENTRAL DISTRICT OF CALIFORNIA
10 SOUTHERN DIVISION
11

12 MICROSOFT CORPORATION, a
Washington corporation,

13 Plaintiff,

14 v.

15 TECHNOVARE SYSTEMS, INC., a
16 California corporation; and BARRY
HSIEH, an individual,

17 Defendants.
18

Case No. SACV 14-0580 AG-(JPRx)

[PROPOSED] ORDER RE
STIPULATION FOR PERMANENT
INJUNCTION

19 The Court having considered the Stipulated Permanent Injunction executed
20 between Plaintiff Microsoft Corporation and Defendant Technovare Systems, Inc.,
21 a California corporation, (collectively, the “Parties”) as part of the settlement in this
22 matter,

23 IT IS HEREBY ORDERED that Defendant Technovare Systems, Inc.
24 (“Technovare”) along with those specified at F.R.C.P. 65(d)(2), shall be and hereby
25 are PERMANENTLY ENJOINED and restrained from:

26 (a) imitating, copying, or making any other infringing use or
27 infringing distribution of software programs, components, end user license
28

1 agreements (“EULA”) or items protected by Microsoft’s registered trademarks and
2 service mark, including, but not limited to, the following Trademark Registration
3 Nos.:

- 4 (1) 1,200,236 (“MICROSOFT”);
- 5 (2) 1,256,083 (“MICROSOFT”);
- 6 (3) 1,872,264 (“WINDOWS”);
- 7 (4) 2,744,843 (COLORED FLAG DESIGN);

8 or the software programs, components, EULA, items or things protected by the
9 following Certificate of Copyright Registration No.:

- 10 (1) TX 7-009-361 (“Windows 7”);
- 11 (2) TX-6-508-905 (“Windows Vista”);

12 and any other works now or hereafter protected by any of Microsoft’s trademarks or
13 copyrights;

14 (b) manufacturing, assembling, producing, distributing, offering for
15 distribution, circulating, selling, offering for sale, advertising, importing,
16 promoting, or displaying any software program, component, EULA, item or thing
17 bearing any simulation, reproduction, counterfeit, copy, or colorable imitation of
18 any of Microsoft’s registered trademarks or service mark, including, but not limited
19 to, the Trademark and Service Mark Registration Nos. listed in Paragraph (a)
20 above;

21 (c) using any simulation, reproduction, counterfeit, copy, or
22 colorable imitation of Microsoft’s registered trademarks or service mark including,
23 but not limited to, the Trademark and Service Mark Registration Nos. listed in
24 Paragraph (a) above, in connection with the manufacture, distribution, offering for
25 distribution, sale, offering for sale, advertisement, promotion, or display of any
26 software, component, EULA, item or thing not authorized or licensed by Microsoft;

27 (d) using any false designation of origin or false description which
28 can or is likely to lead the trade or public or individuals erroneously to believe that

1 any software, component, EULA, item, or thing has been manufactured, produced,
2 distributed, offered for distribution, advertised, promoted, displayed, licensed,
3 sponsored, approved, or authorized by or for Microsoft, when such is in fact not
4 true;

5 (e) engaging in any other activity constituting an illegal distribution
6 of any Microsoft software, component, EULA, Certificate of Authenticity, item, or
7 thing and/or constituting an infringement of any of Microsoft's trademarks, service
8 mark and/or copyrights, or of Microsoft's rights in, or right to use or to exploit
9 these trademarks, service mark, and/or copyrights or constituting any illegal
10 dilution of Microsoft's name, reputation, or goodwill; and

11 (f) assisting, aiding, or abetting any other person or business entity
12 in engaging in or performing any of the activities referred to in paragraphs (a)
13 through (e) above.

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15 **IT IS SO ORDERED.**



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17 Dated: November 4, 2014

18 THE HONORABLE ANDREW J. GUILFORD
19 United States District Court Judge
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